

2014 Superintendent's Compendium



National Park Service
U.S. Department of the Interior

Pea Ridge
National Military Park

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Superintendent's Compendium

Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

Approved: /S/ Kevin Eads Date: 7/2/2014
Kevin Eads, Superintendent
Original Signed Copy on File

A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Unless otherwise stated, these regulatory provisions apply in addition to the regulations contained in 36 CFR, Chapter 1. 36 CFR can be found at http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfrv1_10.html

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Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:
http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

Unless otherwise stated, these regulatory provisions apply in addition to the regulations contained in 36 CFR, Chapter 1. 36 CFR can be found at http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfrv1_10.html

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In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as "...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

Unless otherwise stated, these regulatory provisions apply in addition to the regulations contained in 36 CFR, Chapter 1. 36 CFR can be found at http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfrv1_10.html

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4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes

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comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent
Pea Ridge National Military Park
15930 Hwy 62E
Garfield, AR 72732

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at 15930 Hwy 62 E Garfield, AR 72732. It may also be found at www.nps.gov/peri.

B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Pea Ridge National Military Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

Unless otherwise stated, these regulatory provisions apply in addition to the regulations contained in 36 CFR, Chapter 1. 36 CFR can be found at http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfrv1_10.html

Section 1.5

CLOSURES AND PUBLIC USE LIMITS

(a)(1) Closures

The superintendent may, establish, for all or a portion of a park area, a reasonable schedule of visiting hours, impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity.

Except in emergency situations, the public will be informed of closures, designations, and use or activity restrictions or conditions, visiting hours, public use limits, public use limit procedures, and the termination or relaxation of such.

Road closures

The following roads are closed to motor vehicles except for authorized use.

- Historic Ford Road
- Historic Huntsville Road
- Historic Telegraph Road
- All Non-Paved service roads

These roads are closed to protect cultural and natural landscapes. It is also necessary to protect unsuspecting motorists from the hazards of irregular width, no signage and gravel/dirt surfaces which may be damage by an excessive amount of vehicle traffic and or weather.

The following roads are closed intermittently due to extreme weather conditions, Maintenance and Emergencies. Roadways may be closed with gates, barricades or other traffic control devices. Driving around or past these devices, is prohibited

- Military Park Road (Tour Road)

Roads are closed intermittently due to extreme weather conditions such as snow, ice and downed trees and Emergences such as accidents and fires as well as general maintenance.

Area closures

The Visitor Center is open daily from 8:30am to 4:30pm.

The Visitor Center will close in observation of the following federal holidays:
Thanksgiving, Christmas, and New Years' Day

The visitor center will remain closed to allow employees observe these holidays.

The Elkhorn Tavern is closed to public when not staffed by National Park Service employees and or personnel recruited under the provisions of the Volunteers in Parks Act of 1969.

This closure is to protect collections and furnishings inside the structure.

Pea Ridge NMP, including all grounds including all NPS maintained facilities roadways are closed to public access during the following times:

- April 1 – October 31 from 9pm to 6am
- November 1 – March 31 from 6pm to 6am

The closures are necessary for public safety and to protect the park's cultural, historical, and natural resources from damage, vandalism, and destruction during times when there are limited personnel on duty.

Other Closures

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Pea Ridge NMP is prohibited except as approved in writing by the superintendent.

Definition: The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

Determination: Until the NPS can determine whether specific uses of unmanned aircraft are appropriate and will not cause unacceptable impacts on park resources and values, "Our Park" is closed to the use of these devices. The use of unmanned aircraft within the boundaries of "Our Park" has the potential to harm visitors, disturb wildlife, impact viewsheds, cause excessive noise, and interfere with other visitors' enjoyment of the area. This closure is being implemented as an interim measure while this new use can be properly evaluated. A less restrictive approach is not appropriate at this time due to the impacts the devices could potentially present to visitor safety, park values, and to park resources. The interim closure will safeguard these values while the NPS considers how to address this new use on a long-term basis.

(a)(2) Public Use Restrictions

Food and Drinks prohibited in Visitor Center and Elkhorn Tavern

Food and Drinks are prohibited in Theatre, museum, exhibit area, and merchandise area of Visitor Center. Food and Drinks are prohibited in all exhibit areas of Elkhorn Tavern.

This restriction is in place to prevent the possibility of damage to historic objects, museum exhibits and merchandise.

Overnight parking prohibited

Overnight parking of vehicles during closed hours is prohibited.

Exceptions will be permitted only on case by case basis, with approval of Superintendent, or Division Chief.

Note MROCC shall be notified of permitted exception

This restriction is in place for securing of premises and ensuring Search and Rescue efforts for missing visitors are not wasted due to occupants leaving their vehicle unattended when the park is closed to public.

Recreational and sporting activities prohibited

including, but not limited to the following: racing, roller-skating, skating, skateboarding, motorized scooters, pocket motorcycles, rock climbing, rappelling, kite flying, model airplane flying, model rocket launching, Frisbee, football, baseball, and soccer.

Due to the significant historical events which took place on the battlefield, it has been determined that recreational activities are inconsistent with the purpose for which it was established and managed. The restrictions are in place to allow visitors to reflect on the historical scene and natural beauty of the park without the intrusion of recreational activities.

Electric Personal Assistive Mobility Device (EPAMD) Restrictions:

Definitions:

Wheelchair – Motorized or non-motorized device used for mobility by individuals with disabilities.

Other Power Driven Mobility Devices- Motorized device used for mobility by individuals without disabilities.

Restrictions on Other Power Driven Mobility Devices:

- Max Speed- less than 10MPH
- Tire Width- 4 – 10 inches

Use Area

- “Wheelchairs” are permitted in all areas open to the public.
- “Other Power Driven Mobility Devices” are permitted on park roads, trails and sidewalks.

Note - Users are encouraged to use caution when using these devices off of paved surfaces. Many trails are steep and uneven which may be unsuitable for use of EPAMDs.

Restrictions are to minimize impact on both cultural and natural resources.

Swimming or Wading

is prohibited in all waters within Pea Ridge National Military Park, excluding:
Little Sugar Creek

Swimming or wading is prohibited in all waters excluding Little Sugar Creek due to the historical setting in which Pea Ridge NMP is attempting to maintain.

(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under (a)(1) or (a)(2) have been terminated:

Not Applicable

Section 1.6

PERMITS

Pursuant to the provisions of 36 CFR 1.6(f) the following is a compilation of the activities for which a permit is required.

- 2.5(a) Specimen Collection
- 2.4(d) Carry or possess a weapon trap or net
- 2.10(a) Camping Activities
- 2.12(a)(2) Audio Disturbance (operating chain saw in developed area)
- 2.12(a)(3) Audio Disturbance (Operation of any type of portable motor or engine, or device powered by portable motor or engine in non-developed area)
- 2.12(a)(4) Audio Disturbance (Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to 2.50 or 2.51)
- 2.23(b) Recreation Fee (Entrance Fees – per 36 CFR Part 71)
- 71.13(d) Fee Waiver
- 2.37 Noncommercial soliciting
- 2.38 Explosives
- 2.50(a) Special Event
- 2.51(a) Public Assembly
- 2.52(c) Sale/Distribution of Printed Material
- 2.60(b) Agricultural Permit
- 2.62(b) Memorialization (Scattering of human ashes)
- 3.3 Use of a Vessel
- 4.11(a) Load Weight and Size limits
- 5.1 Advertisements
- 5.3 Business Operations
- 5.4(a) Commercial Passenger-Carrying motor vehicles
- 5.5 Commercial Photography/Filming
- 5.7 Construction of building or other facilities
- 6.9(a) Solid Waste Permits

Permits will be specific in nature to the activity being permitted. In those cases where permit use is frequent a specific permit form has been designed, i.e. Fee Waiver permit, commercial photography//filming permit. In most other cases a special use permit or letter of authorization will be prepared laying out the specific conditions under which the permitted activity is authorized. In all cases a permit or letter of authorization must be presented to entrance station, in the permittee's possession at all times and exhibited to any authorized person upon request.

Section 2.1

PRESERVATION OF NATURAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES

(a)(4) Gathering and possession of **dead and down wood** is permitted in all areas, provided such wood is collected as fuel for campfires or living history demonstrations.

Collecting only dead and down wood is specified so that living materials are not unnecessarily destroyed.

(a)(5) Public entry to any **historic building or structure**, or part thereof, is permitted, provided the building is open to normal public access.

(c)(1) The following **fruits, berries, nuts** and fruiting bodies of certain **mushrooms** may be gathered by and for personal use or consumption (commercial use is prohibited):

- Blueberries (*Vaccinium* spp.)
- Blackberries (*Rubus* spp.)
- Wild Grapes (*Vitis* spp.)
- Paw Paws (*Asimina triloba*)
- Gooseberries/Currants (*Ribes* spp.)
- Black raspberries (*Rubus occidentalis*)
- Poke Weed (*Phytolacca americana*)
- Water Crest (*Nasturtium officinale*)
- Serviceberries (*Amelanchier laevis*)
- Persimmon (*Diospyros virginiana*)
- Mushrooms (only edible species)
- Black walnut (*Juglans nigra*)
- Hickories (*Carya* sp.)
- American hazelnut (*Corylus americana*)
- Apples
- Peaches
- Red Mulberries (*Morus rubra* L.)

(c)(2)(i) The amount of fruits, berries, nuts and fruiting bodies of mushrooms, which are authorized for collection, shall not exceed 1 pound per person per day for each species, except for apples, pears and peaches. The amount of apples, pears, and peaches, shall not exceed 3 pounds or 10 per person per day for each species.

The unrestricted collection of native fruits, berries, nuts and fruiting bodies could adversely impact plant propagation and/or wildlife food sources.

(c)(2)(i) Persons gathering edible fruits and nuts are prohibited from climbing trees, using stools or ladders.

The use of these methods is restricted to protect the vegetation from undue damage (i.e., broken branches, etc.), and allow sufficient supplies of food for wildlife species.

(c)(2)(ii) The gathering of designated fruits, berries, nuts, and mushrooms, is prohibited within 100 feet of nature trails, motor nature trails, handicapped accessible trails and scientific and natural study areas.

Gathering fruits, berries, nuts and mushrooms near nature trails, where visitors view nature, would irreversibly impact the natural scene. Gathering near research areas could negatively impact research results.

Section 2.2

WILDLIFE PROTECTION

(d) Game animals lawfully taken outside of Pea Ridge National Military Park may be **transported by vehicle** through the park using the following roads in accordance with state law:

- Any State or County maintained roadway

(d) The carcasses of animals legally taken adjacent to Pea Ridge National Military Park Boundary which have crossed onto park property may be tracked with approval by a commissioned employee (NPS Ranger and or Arkansas Game and Fish Commission Wildlife Officer) only.

Wildlife taken lawfully outside the park may be transported through the park on the above approved routes under the following conditions:

- Persons transporting will have in their possession a valid State hunting license.
- Animal carcasses will display a valid State game tag when required.
- Animal carcasses must be covered or out of sight.
- Animal carcasses will be subject to inspection at any time by an authorized person.

The park does not wish to impede those hunting legally in jurisdictions outside the park, nor the transportation of legally taken game. However, the transportation of game through the park, an area closed to hunting, may elicit visitor complaints and could cause confusion with the park's hunting regulations.

(e) It is unlawful to shine artificial light on any area of Pea Ridge NMP, for viewing or locating wildlife.

The viewing of wildlife at night with the use of artificial lights temporarily blinds the animals, causing them to become unnaturally easy prey for predators.

Section 2.4

WEAPONS, TRAPS, NETS

Information Only:

36CFR2.4(h) “A person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state in which the national park area, or that portion thereof, is located, except as otherwise prohibited by applicable Federal law”.

5.11 HUNTING PROHIBITED IN STATE AND NATIONAL PARKS

It is unlawful to hunt wildlife or possess any killing device in any state or national park in Arkansas.

EXCEPTIONS:

- (1) Buffalo National River WMA during an open season.*
- (2) During specified hunting seasons and in designated hunting areas on Hobbs State Park-Conservation Area.*
- (3) Shooting ranges on Hobbs State Park-Conservation Area and Ozark Folk Center, in compliance with rules posted at each location.*
- (4) In compliance with Code 05.19.*

KILLING DEVICE - Any firearm, bow and arrow, crossbow, pellet gun or any other device capable of killing wildlife.

05.19 CONCEALED CARRY PERMIT OLDER PROVISIONS

Holders of a valid state-issued concealed handgun permit recognized and honored by the State of Arkansas in accordance with Arkansas Code Title 5, Chapter 73, Subchapter 3, may possess the handgun covered by the permit, except in places where otherwise prohibited under federal, state or local law or where disallowed by a landowner in accordance with applicable law. Nothing in this exception is intended to supersede or limit the regulations of any federal, state or local authorities that prohibit the possession of concealed handguns on their property, including, but not limited to, the U.S. Army Corps of Engineers, the USDA Forest Service, the U.S. Fish and Wildlife Service and the National Park Service. Full time certified or retired Arkansas law enforcement officers, meeting the requirements of Arkansas State Law 5-73-304 or full time certified or retired law enforcement officers nationwide meeting those requirements under Federal Law 18 U.S. Code 926B, 926C, carrying valid I.D. issued by their agency.

Firearms are not permitted within any federal facility in accordance with 18 USC 930(a) and 18 USC 930(b).

Section 2.5

RESEARCH SPECIMENS

Pursuant to the authority found in 36 CFR 2.5, the Superintendent may issue permits for the collection of plants, fish, wildlife, rocks and minerals for research purposes according to general and park-specific conditions established by the National Park Service for scientific research and collecting permits. These conditions are found online at <http://science.nature.nps.gov/research> and are subject to revision. The guidelines found at that web site are hereby adopted and made a part of these orders.

Section 2.10

CAMPING AND FOOD STORAGE

(a) Camping

Primitive camping is permitted only in correlation of a special use permit or living history demonstration approved by the superintendent.

The park allows camping to participants involved with living history demonstrations as well as special events which do not interfere with protection of the park.

Camping in any **historic structure** or building is permitted only in correlation of a special use permit or living history demonstration approved by the park.

Historic structures are fragile and need protection from any activity that could adversely impact the structure or degrade the historic scene.

Section 2.11

PICNICKING

Picnicking by groups of 10 or fewer persons shall be allowed in all areas except:

- Within 100 feet of:
 - Structures or areas considered to be cultural or archeological resources
 - Research sites
 - When the activity would interfere with normal agency functions or visitor use activities already in progress.

Picnicking shall be conducted in accordance with all applicable regulations in regards to open fires, food storage and sanitation.

Picnicking by groups of more than 10 people may be considered an event and shall require a Special Use Permit unless done in a pre - designated picnic area.

Picnicking is restricted from those areas that would adversely impact the historic scene or interfere with the operations of the park. Large groups present potential problems with litter, parking and resource damage and for that reason group events will be reviewed on a case by-case basis.

The “holding” or “reserving” of additional picnicking sites and or tables, within designated picnic areas, for other individuals, is prohibited.

The use of picnic sites and tables within designated picnic areas of the park are based on a first-come, first-served basis. Individuals may not “hold” sites or tables for individuals or groups who are not on-site, when other picnickers have a desire to use the site or table.

Section 2.13

FIRES

(a)(1) The lighting or maintaining of fire in any historic building or structure is prohibited, except as part of an living history event or authorized by the superintendent in a Special Use permit.

(a)(1) The use of **portable gas grills and stoves** are only permitted in developed picnic area located at Trail of Tears Tour Stop (#1).

Charcoal and other non-gas grills are prohibited to prevent wildfires which may be caused by hot coals being disposed of improperly.

(c) During periods of high fire danger, the superintendent may close all or portions of a park area to the lighting or maintaining of a fire.

The use of open fires in the park is regulated to protect human life, structures and natural resources. During extreme weather conditions, open-pit fires may be restricted to preclude the accidental ignition of wildfires.

Campfires are permitted in connection with special use permit, or living history demonstration.

Section 2.15

PETS

(a)(1) Dogs, cats, and other pets (except service animals) are prohibited in all public building. Pets must be on a **leash** not to exceed 6 feet in length.

Pets are prohibited in such areas to prevent conflict between site users as well as preventing the possibility of damage to historic objects, museum exhibits and merchandise.

(a)(3) Leaving a pet **unattended** and tied to an object is prohibited.

(a)(5) Pet **excrement** must be immediately collected by the pet handler and disposed of in all areas of heavy public use including but not limited to: Parking lots, exhibit areas, trails, picnic areas, and mowed areas around public use structures.

These regulations are not intended to restrict pets from the park but rather to enhance the natural experience of all visitors. Pets are natural predators and their scent alone will scare wild animals into hiding places.

Section 2.16

HORSES AND PACK ANIMALS

Horses, mules, burros, and llamas are designated as pack animals.

(b) **Designated Trails:** The official list of trails, routes or areas designated for horse use is contained in **Appendix A**. Trails are designated by an orange medallion which are displayed along trail.

Horseback riders are asked to stay on designated trails to prevent damage to vegetation, decrease spread of evasive species, and to facilitate in the event of an emergency.

(g) **Horse Drawn Attachments:** The use of horse drawn attachments on Park trails is prohibited.

Trails are not maintained to accommodate the use of horse drawn attachments.

(g) **Manure scattering:** At trailheads, any manure spilled from the trailering unit and any fresh excrement must be replaced in the trailering unit or designated compost area.

This is necessary to help prevent the introduction of exotic plant seeds into the park.

(g) **Unloading; trailer parking:**

The designated parking and unloading area for stock is at the Trailhead. See Appendix A

(g) **Coggins test**

Pursuant to Arkansas state law, **all equine** must have a coggins test completed annually. Any equine brought to be ridden on any park trail shall be accompanied by either the original or a copy of an official negative test for equine infectious anemia (EIA) (aka “Coggins test”) administered within the previous 12 months. Proof of such test must be provided upon request.

Arkansas state law requires this test. They also impose liability for noncompliance.

Section 2.21

SMOKING

(a) Smoking is prohibited in all buildings and within 25 feet of the entrance to all public buildings.

Smoking is prohibited is prohibited to prevent second hand smoke within nonsmoker user groups.

Section 2.23

RECREATION FEES

(b) Recreation fees, and or a permit, in accordance with 36CFR part 71, are established for the following entrance fee areas, and/ or for the use of the following specialized sites, facilities, equipment or services, for participation in the following group activity, recreation events or specialized recreation uses:

Entrance Fee Area: All grounds and facilities managed by Pea Ridge National Military Park; excluding the federal trenches located on Sugar Creek Rd.

Fee Schedule:

Individual Entrance Fee (ages 16 and over) \$5.00
Vehicle Entrance Fee \$10.00 (Includes all individuals arriving in a single vehicle)
Motorcycle Entrance Fee \$5.00
Annual Park Pass \$20.00

Recreational Fee Permits required for entry into the park, will be issued at the Visitor Center. Fees will be collected from 8:30am until 4:00pm.

Section 2.35

ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) No closures in place

Section 2.51

PUBLIC ASSEMBLIES

(e) The following areas are designated for public assemblies or meetings.

- All areas of Pea Ridge National Military Park excluding:
 - Areas where public is not permitted
 - Area immediately adjacent to Visitor Center, Tavern & Monuments
 - All Tour Stops
 - State and County Highway Right of ways

Areas prohibited are to protect resources and to eliminate interference with interpretive and visitor service activities

Section 2.52

SALE AND DISTRIBUTION OF PRINTED MATERIAL

(c)(3) The number of individuals selling or distributing printed material is limited to no more than two (2) within a designated area at one time.

(e) The following areas are designated for the sale and distribution of printed material.

- All areas of Pea Ridge National Military Park excluding:
 - Areas where public is not permitted
 - Area immediately adjacent to Visitor Center, Tavern & Monuments
 - All Tour Stops
 - State and County Highway Right of ways

Areas prohibited are to protect resources and to eliminate interference with interpretive and visitor service activities

Section 2.62

MEMORIALIZATION

(b) The scattering of human ashes from cremation will be permitted pursuant to a permit issued by the park and pursuant to the following conditions:

- The chosen site will not be permitted within areas of high archeological value. (battlefield)
- The chosen site must be no less than 300 feet from any buildings or historic sites, including historic structures and cemeteries.
- The chosen site must be no less than 150 feet away from any other developed area, e.g. roads, trails, campgrounds and picnic areas.
- The chosen site must be no less than 150 feet from a stream or other watercourse.
- The ashes must be scattered and not deposited in any type of container. Remains may not be buried even without a container.
- No marker or memorial of any sort may be placed or left at the site.
- A copy of the permit must accompany the person performing the scattering.
- Cremation must be accomplished in accordance with state law.

Section 4

VEHICLES AND TRAFFIC SAFETY

For informational purposes: Vehicles which are not manufactured for street use and which do not meet applicable federal motor vehicle safety standards (e.g. golf carts and ATV's) are prohibited on park roads, except for those authorized by the Superintendent. When there is doubt about the status of a motor vehicle, it shall be the obligation of the owner to provide documentation from the manufacturer that the vehicle meets federal motor vehicle safety standards. Generally, that can be confirmed by stickers on the vehicle or text in the owner's manual, or by checking tires for "Not for Highway Use" text.

The licensing of off-road vehicles by some jurisdictions has created confusion about which vehicles are allowed on public roads.

Section 4.11

Load, weight and size limits

No Vehicle exceeding the maximum load for vehicle class shall operate upon any park maintained road.

Weight

TRUCK TYPE	TONS (NORMAL)	TONS (MAXIMUM LOAD)
H	15	25
HS	20	33
TYPE 3	18	30
TYPE 3S2	29	48
TYPE 3-3	35	57

Size

- Max width = 96"
- Max Length = 48'

The restrictions on weight and size are based on the maximum load limits of the bridges as well as to allow vehicles to maneuver roadway. Justification for weight limits is based upon the 2012 bridge inspection report.

Section 4.21

SPEED LIMITS

(b)The speed limits within the boundaries of the park are as follows:

- 15 miles per hour: within all parking areas, and picnic areas.
- 15 miles per hour: upon all non-paved park roads
- 25 miles per hour: upon all other sections of paved park roads

State Adopted Speed Limits: along all State and County maintained roadways.

Speed limits are based on number of persons within an area, road surface, and lay out of road to prevent personal and or property damage.

Section 4.30**BICYCLES**

(a) The following routes are designated for bicycle use.

- Military Park (Tour Rd)
- Ford Road

Bicycles are only permitted on the above routes to protect and prevent damage to cultural and natural resources within the park.

Appendix A

